

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

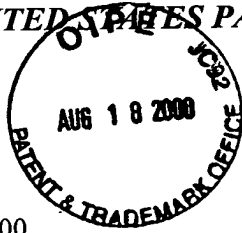
In re application of:

Kreiger, et al.

Serial No. 09/489,293

Filed: January 21, 2000

For: *HYDRODYNAMIC SPINDLE MOTOR
SEALING TECHNIQUE*



Art Unit: 2834

Atty. Docket No. A-67845/JAS

Palo Alto, California

DECLARATION OF JAMES A. SHERIDAN
AS TO FACTS THAT SUPPORT FILING AN APPLICATION
WITHOUT SIGNATURE OF CO-INVENTOR

This Declaration is made as to facts relied on to establish diligent effort to secure the signature of Dirk Krieger on the Oath/Declaration for the above referenced patent application. I, James A. Sheridan, a partner of the firm of Flehr Hohbach Test Albritton & Herbert having a business address of 850 Hansen Way, Suite 200, Palo Alto, California, hereby declare that:

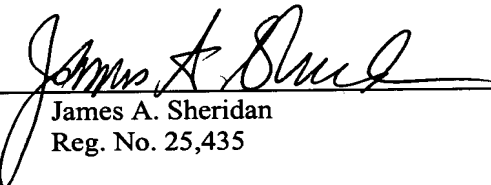
1. I am registered to practice before the U.S. Patent and Trademark Office (Reg. No. 25,435) and I am assisting in the filing and prosecution of the above-named patent application.
2. At my direction, on June 5, 2000 a complete copy of the application as filed, together with a set of formal papers for signature, was transmitted from my office by facsimile (408-747-0375) to Inventor, Dirk Krieger at his place of employment. A complete copy of that facsimile transmission, including the cover sheet signed by the transmitting person, and the journal entry which indicates that the application, figures and formal papers were successfully transmitted and received, is attached hereto as Exhibit A.
5. On or shortly after June 5, 2000, after receiving the application by facsimile, Mr. Krieger called and told me that he was unwilling to sign the application.
6. Since my telephone conversation with Mr. Kreiger, I have made a number of additional telephone calls asking Mr. Krieger to sign the application, and reminding him of his contractual obligations to Seagate (now his former employer) to assist in the prosecution of the application. Mr. Krieger has refused to sign the formal papers.

7. On August 7, 2000, the date of execution of this Declaration, I again called Mr. Krieger and left him a message at his current place of employment, asking him to sign the Declaration and return it to me. Mr. Krieger has not returned my calls.

8. Mr. Krieger has had a number of opportunities over the last two months to return my phone calls or to otherwise cooperate in the filing and prosecution of this application. In leaving multiple phone messages for Mr. Krieger, I have each time asked him to cooperate in filing the application and reminded him of his obligations to his previous employer. Mr. Krieger has consistently refused to cooperate or to execute the Declaration and I have justifiably concluded that he will continue to refuse to do so.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. I further declare that all statements made by me herein are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any willful false statements may jeopardize the validity of any patent resulting therefrom.

Respectfully submitted,
FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

By: 
James A. Sheridan
Reg. No. 25,435

Suite 3400 Four Embarcadero Center
San Francisco, CA 94111-4187
(415) 781-1989

1014966



* * JOURNAL (JUN. 5. 2000 2:32PM) * * *

TTI FLEHR HOHBACH TEST

(MANUAL PRINT)

T X) DATE	TIME	ADDRESS	MODE	TIME	PAGE	RESULT	PERS. NAME	FILE
UN. 1.	5:12PM	01718311768	G3ESM#	0:32	P. 1	OK		6941
	5:12PM	01718311768	G3ESM#	0:23	P. 1	OK		6942
	5:37PM	+81335915248	G3ESM	0:18	P. 1	OK		6943
UN. 2.	8:25AM	FLEHR HOHBACH TEST	G3ESM	0:43	P. 5	OK		6945
	8:26AM	FLEHR HOHBACH TEST	G3ESM	0:19	P. 2	OK		6946
	8:27AM	8314252649	G3SM	9:45	P. 15	OK		6947
	9:12AM	0049 89 48 20 58	G3ES	0:24	P. 1	OK		6948
	9:23AM	5334626	G3ES	1:23	P. 2	OK		6949
	9:28AM	18314381745	G3ES	0:19	P. 1	OK		6953
	9:31AM	214 237 2038	G3ESM	0:24	P. 2	OK		6954
	9:39AM	01413078401	G3ESM	0:39	P. 1	OK		6955
	10:10AM	18314381745	G3ES	0:57	P. 3	OK		6956
	10:43AM	510 534 3421	G3ES	0:36	P. 2	OK		6957
	10:47AM	650 493 5556	G3ESM	0:38	P. 2	OK		6958
	10:59AM	MADOKA INT'L P.O.	G3ESM	0:29	P. 1	OK		6960
	11:01AM	FLEHR HOHBACH TEST	G3ESM	0:11	P. 1	OK		6961
	11:03AM	LASERSCOPE	G3ES	6:05	P. 24	OK		6962
	11:49AM	4088305980	G3ESM	2:11	P. 7	OK		6963
	11:59AM	831 438 2254	G3ESM	1:12	P. 5	OK		6966
	12:01PM	MEWBURN ELLIS LONDON	G3ES	0:38	P. 1	OK		6967
	12:02PM	510 486 7896	G3ESM	2:56	P. 12	OK		6968
	12:17PM	+6132328440	G3ES	0:27	P. 1	OK		6969
	1:16PM	7033085077	G3ES	1:09	P. 4	OK		6971
	2:25PM	6504936198	G3ESM	1:57	P. 8	OK		6972
	3:18PM	FLEHR HOHBACH TEST	G3ESM	0:11	P. 1	OK		6973
	3:34PM	19126543945	G3ES	0:44	P. 2	OK		6974
	3:46PM	307 328 1342	G3ESM	0:34	P. 1	OK		6975
	3:50PM	34593555	G3SM	1:06	P. 1	E		6976
	3:54PM	03 3214 6358	G3ES	0:29	P. 1	OK		6977
	4:08PM	34593555	G3SM	0:38	P. 1	E		6976
	4:14PM	34593555	G3SM	1:50	P. 4	OK		6976
	4:35PM	8148672118	G3ES	0:39	P. 2	OK		6978
	5:37PM	650 368 9303	G3ESM	0:43	P. 2	OK		6979
	7:08PM	MEWBURN ELLIS LONDON	G3ESM	0:38	P. 2	OK		6980
UN. 5.	10:23AM	7033059835	G3ESM	1:37	P. 6	OK		6981
	10:37AM	7075257725	G3ES	1:36	P. 5	OK		6982
	10:39AM	707 525 7953	G3ESM	1:37	P. 5	OK		6983
	11:12AM	MEWBURN ELLIS LONDON	G3ESM	0:32	P. 2	OK		6984
	11:22AM	81352525447	G3ESM	1:45	P. 5	OK		6985
	11:54AM	0049 89 48 20 58	G3ES	0:31	P. 1	OK		6986
	12:31PM	0049 89 48 20 58	G3ES	0:26	P. 1	OK		6987
	12:32PM	6505930235	G3ESM	0:22	P. 1	OK		6988
	12:33PM	408 235 1770	G3ESM	0:23	P. 1	OK		6989
	12:34PM	SPRUSON & FERGUSON	G3ES	0:23	P. 1	OK		6990
	12:35PM	SPRUSON & FERGUSON	G3ES	0:30	P. 1	OK		6991
	12:36PM	51 1 4411916	G3S	0:47	P. 1	OK		6992
	12:47PM	FLEHR HOHBACH TEST	G3ESM	0:17	P. 2	OK		6993
	1:22PM	408 952 6995	G3ESM	1:14	P. 8	OK		6994
	2:15PM	408 74703755	G3ESM	1:03	P. 2	E		6995
	2:17PM	408 7470375	G3ESM	6:07	P. 15	OK		6996

R X) DATE	TIME	ADDRESS	MODE	TIME	PAGE	RESULT	PERS. NAME	FILE
---------------	------	---------	------	------	------	--------	------------	------

TX 030722

: BATCH
M : MEMORY
S : STANDARD
! : REMOTE TRANSFER

C : CONFIDENTIAL
L : SEND LATER
D : DETAIL
B : FAX ON DEMAND

RX 000004

\$: TRANSFER
@ : FORWARDING
F : FINE
* : PC

P : POLLING
E : ECM
Y : REDUCTION
% : PC DIRECT

EXHIBIT 'A'